

CLEAR FORM

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF DEFICIENCY WRITS OF EXECUTION AND ABSTRACT OF JUDGMENTS

Reference document(s) submitted on June 17, 2013 for case number SACV11-00534 AG (ANx).

The document(s) submitted to the clerk's office for filing does not comply with the Federal Rules of Civil Procedure and is deficient for the reason(s) checked below. The document(s) is being returned to you for correction. Please return this form with the corrected document(s) when returned to the clerk's office for filing.

- ☐ Writ/Abstract must contain the names and addresses of judgment debtors.
- ☒ Entered date of Writ/Abstract is incorrect (refer to docket). April 10, 2013
- ☐ Judgment amount and date entered do not coincide with amount and date of abstract.
- ☒ If there are no amounts for Principal, Interest, Costs and/or Attorney Fees, please enter -0- on each line.
- ☐ Original writ of execution must be returned by United States Marshal prior to issuance of an alias writ.
- ☐ Affidavit for Issuance of Writ
- ☒ Abstract does not indicate "jointly and severally" where appropriate (refer to judgment).
- ☐ Please leave attested date blank.
- ☐ Please indicate judgment debtor's driver's license and social security number or place an "X" in the unknown box.
- ☒ Other: The correct case number for the Writ of Execution is
SACV11-00534 AG (ANx)

PLEASE ATTACH THIS PLEADING DEFICIENCY FORM TO YOUR DOCUMENT(S) WHEN THE CORRECTIONS ARE SUBMITTED.

CLERK OF COURT,

By: Dodjie Lagman
Deputy Clerk

Date: June 19, 2013

BROWN, WEGNER & BERLINER LLP
 Matthew A. Berliner (SBN 224384)
 Janet S. Park (SBN 263511)
 2603 Main Street, Suite 1050
 Irvine, California 92614
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UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

WALTER L. MITCHELL III

CASE NUMBER

SACV 11-00534 AG(ANx)

PLAINTIFF(S)

3PL SYSTEMS, INC.

v.

AFFIDAVIT AND REQUEST FOR ISSUANCE
 OF WRIT OF EXECUTION

DEFENDANT(S).

☒ State of California, County of Orange

☐ State of _____, County of _____

I, Janet S. Park hereby state under penalty of perjury that,


- Judgment for \$ 205,907.00 was entered on April 9, 2013 on the docket of the above-entitled action in the U. S. District Court, Central District of California in favor of 3PL SYSTEMS, INC. as Judgment Creditor, and against Trinnos Technology LLC and Walter L. Mitchell III as Judgment Debtor.

If this is a Registered Judgment from another Court or District, include the following information.* Said Judgment was registered herein under Title 28, U.S. Code, Section 1963, being a Judgment which was obtained in Civil Case Number _____ in the United States District Court for the _____ District of _____ and which has become FINAL.

- I am the Judgment Creditor, or the attorney for said Judgment Creditor, and request issuance of a Writ of Execution on the Judgment.
- ACCRUED since the entry of judgment in the Central District of California are the following sums:
 \$ 41.07 accrued interest, computed at 0.13 % (See note.)
 \$ _____ accrued costs

Credit must be given for payments and partial satisfaction in the amount of \$ 0.00 which is to be credited against the total accrued costs and accrued interest, with any excess credited against the judgment as entered.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Irvine, State of California, this 3 date of June, 2013.


 Signature

***Note: Judgments registered under 28 U.S.C. §1963 bear the rate of interest of the district of origin and calculated as of the date of entry in that district.**

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Facsimile: 949-794-4099

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Walter L. Mitchell, III

CASE NUMBER:

CV- 11-00534 AG (ANx)

Plaintiff(s)

V.

3PL Systems, Inc.

Defendant(s)

WRIT OF EXECUTION

TO: THE UNITED STATES MARSHAL FOR THE CENTRAL DISTRICT OF CALIFORNIA

You are directed to enforce the Judgment described below with interest and costs as provided by law.

On April 9, 2013 a judgment was entered in the above-entitled action in favor of:

3PL Systems, Inc.

as Judgment Creditor and against:

Trinnos Technology LLC and Walter L. Mitchell III, jointly and severally.

as Judgment Debtor, for:

\$ 205,907.00 Principal,
\$ _____ Attorney Fees,
\$ _____ Interest **, and
\$ _____ Costs, making a total amount of
\$ _____ **JUDGMENT AS ENTERED**

****NOTE: JUDGMENTS REGISTERED UNDER 28 U.S.C. §1963 BEAR THE RATE OF INTEREST OF THE DISTRICT OF ORIGIN AND CALCULATED AS OF THE DATE OF ENTRY IN THAT DISTRICT.**

WRIT OF EXECUTION

WHEREAS, according to an affidavit and/or memorandum of costs after judgment it appears that further sums have accrued since the entry of judgment in the Central District of California, to wit:

\$ 41.07 accrued interest, and
\$ _____ accrued costs, making a total of
\$ 41.07 **ACCRUED COSTS AND ACCRUED INTEREST**

Credit must be given for payments and partial satisfaction in the amount of \$ 0.00 which is to be credited against the total accrued costs and accrued interest, with any excess credited against the judgment as entered, leaving a net balance of:

\$ 205,948.07 **ACTUALLY DUE** on the date of the issuance of this writ of which
\$ 41.07 Is due on the judgment as entered and bears interest at 0.13
percent per annum, in the amount of \$ 0.73 per day,
from the date of issuance of this writ, to which must be added the
commissions and costs of the officer executing this writ.

CLERK, UNITED STATES DISTRICT COURT

Dated: _____

By: _____
Deputy Clerk

The following are name(s) and address(es) of the judgment debtor(s) to whom a copy of the Writ of Execution must be mailed unless it was served at the time of the levy. This information must be filled in by counsel requesting this writ.

┌ Walter L. Mitchell, III
3831 Hamilton Ave.
Irvine, CA 92614

┌
└ Trinnos Technology LLC
15011 Parkway Loop, Suite D
Tustin, CA 92780

┌
└ Mandour & Associates APC
16870 West Bernardo Drive
Suite 400
San Diego, CA 92127

NOTICE TO THE JUDGMENT DEBTOR

You may be entitled to file a claim exempting your property from execution. You may seek the advice of an attorney or may, within ten (10) days after the date the notice of levy was served, deliver a claim of exemption to the levying officer as provided in Sections 703.510 - 703.610 of the California Code of Civil Procedure.